

Docket No.: 20529 (C36435/111697)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :

Chyi-Cheng CHEN, *et al.*

Serial No.: 09/738,610

Filed: December 15, 2000

For: L-ASCORBIC ACID AND PECTIN
COMPOSITION

Examiner: B. Kwon

Art Unit: 1614

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New York, New York
December 4, 2001

RESPONSE TO OFFICE ACTION INCLUDING AMENDMENT
AND PETITION FOR EXTENSION OF TIME

Commissioner for Patents
Washington, DC 20231

Sir:

This is in response to the Office Action mailed June 4, 2001, which set a three-month shortened statutory period for response. A three-month extension of time to respond to the Office Action is hereby requested. Accordingly, this response is filed timely upon mailing, with an executed certificate of mailing, on or before December 4, 2001. 37 CFR §§ 1.8, and 1.136. Enclosed is a check in the amount of \$920.00 to cover the fee for the extension of time. 37 CFR § 1.17. Please charge any required extension-of-time fees not otherwise paid by check to Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

filed processed

1/07/2002 RHARMON 00000001 024467 09738610

1 FC:103 18.00 CH
2 FC:102 84.00 CH

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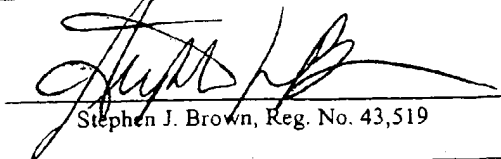
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as recited in, *e.g.*, claims 14-21. And, the rejection provides no evidence or reasoning why the presently claimed processes would be suggested by Schmidt or Newlin, alone or in combination. Thus, the rejection of claims 14-21 is insufficient as a matter of fact and law and should be withdrawn.

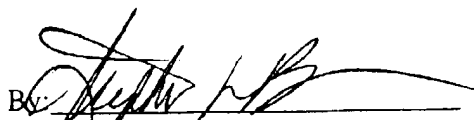
Furthermore, the composition/tablet claims, *i.e.* claims 1-13 are made by the unique processes recited in claims 14-21. Given the unique processing steps recited in claims 14-21, especially the spraying of the pectin binder onto the fluidized L-ascorbic acid particles, the rejection provides no evidence or reasoning why the compositions disclosed by Schmidt would suggest the compositions and tablets recited in claims 1-13. Thus, the rejection of claims 1-13 is insufficient as a matter of fact and law and should be withdrawn.

Accordingly, for the reasons set forth above, acknowledgment of the receipt of the certified copy of the priority document and the perfection of our claim to benefit, entry of the amendments, withdrawal of the rejection, and allowance of the claims is respectfully requested. If the Examiner has any questions regarding this paper, please contact the undersigned.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231, on December 4, 2001.


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Respectfully submitted,

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